

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The amendment to the drawings filed 07/07/09 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

Replacement Fig. 1 depicts the logic device 32 residing outside of the intelligent unit 12. There is no support for such a construction in the spec. The spec only provides support for the logic device residing 32 inside of the intelligent unit 12 (e.g., [0031] of the PGPUB: “The intelligent units...have an associated logic device”, wherein “have” is synonymous with “contain”).

Applicant is required to cancel the new matter in the reply to this Office Action.

Drawings

The drawings were received on 07/07/09. These drawings are not acceptable. They are directed to new matter as noted above.

Information Disclosure Statement

The information disclosure statement filed 09/29/09 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

There is no explanation of relevance or English abstract or translation provided for the German patent document or for the European Office Action, so these two items have not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10-16, and 19-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Hagino US 2001/0016891. Hagino discloses:

1. A method comprising:

situating a configuration device (e.g., Fig. 3 #120, Fig. 8 #120X) at an installation location in a system, wherein the configuration device is configured for coupling (e.g., Fig. 3: “L”, Fig. 8 #138) to an intelligent unit (e.g., Fig. 3 #130, Fig. 8 #130X), and is not a component of said intelligent unit; and

storing data in the configuration device, pertaining to the installation location (e.g., [0034]: “The DIP switch 122 holds the network ID of the connector, which is unique on the network”),

wherein the data comprises behavior or function description data for the intelligent unit (e.g., [0082]: “The communication CPU 124 receives a command destined for its node address”, *the “command” reads on the claimed “behavior or function description data”*), and

wherein the data is transmitted from the configuration device to a logic device (e.g., Fig. 3 #132, Fig. 8 #136) that processes the data for configuration of the intelligent unit (e.g., [0035]: “The communication CPU 132 reads the setting value (network ID) of the DIP switch 122 into an internal register”, [0054], [0082]: “The infrared communication unit 138 receives data

Art Unit: 2121

transmitted from the connector 120X and transfers the data to the control CPU 136. The control CPU 136 executes control of the motor driver 150 in accordance with the received data.”).

2. The method as claimed in claim 1, further comprising the following steps:
provisioning the intelligent unit (e.g., Fig. 3 #130, Fig. 8 #130X) with the logic device (e.g., Fig. 3 #132, Fig. 8 #136);

coupling the intelligent unit to the configuration device (e.g., Fig. 3: “L”, Fig. 8 #138);
and

transmitting the data from the configuration device to the logic device (e.g., [0035], [0054], [0082]).

3. The method as claimed in claim 1, further comprising:
transmitting data from the intelligent unit to the configuration device; and storing the data from the intelligent unit in the configuration device (e.g., [0078]: “the connector 120X has the function of communicating with the host controller 110 and takes out information of the field device 130X to exchange communication with the host controller 110”).

4. The method as claimed in claim 1, further comprising matching data between the intelligent unit and the configuration device (e.g., [0035], [0054], [0082]).

5. The method as claimed in claim 1, wherein the intelligent unit is in a network (e.g., Fig. 1).

6. The method as claimed in claim 1, wherein the storing and/or the transmitting of the data is carried out as a single step, or as a repeatable step (e.g., [0073]-[0074]).

7. The method as claimed in claim 1, wherein the storing and/or the transmitting of the data is performed securely (e.g., Fig. 8, [0082], *Infrared communication is secure*).

Art Unit: 2121

8. An apparatus for carrying out the method as claimed in claim 1, comprising:

a configuration device (e.g., Fig. 3 #120, Fig. 8 #120X) which is associable with an installation in a system, for storage of data pertaining to the installation location (e.g., [0034]: “The DIP switch 122 holds the network ID of the connector, which is unique on the network”),

wherein the configuration device is configured for coupling (e.g., Fig. 3: “L”, Fig. 8 #138) to an intelligent unit (e.g., Fig. 3 #130, Fig. 8 #130X), and is not a component of said intelligent unit,

wherein the data comprises behavior or function description data for the intelligent unit (e.g., [0082]: “The communication CPU 124 receives a command destined for its node address”, *the “command” reads on the claimed “behavior or function description data”*), and

wherein the data is transmittable from the configuration device to a logic device (e.g., Fig. 3 #132, Fig. 8 #136) that processes the data for configuration of the intelligent unit (e.g., [0035]: “The communication CPU 132 reads the setting value (network ID) of the DIP switch 122 into an internal register”, [0054], [0082]: “The infrared communication unit 138 receives data transmitted from the connector 120X and transfers the data to the control CPU 136. The control CPU 136 executes control of the motor driver 150 in accordance with the received data.”).

10. The apparatus as claimed in claim 8,

wherein the configuration device (e.g., Fig. 3 #120, Fig. 8 #120X) can be associated with a defined application and/or a defined location of an intelligent unit (e.g., [0034]: “The DIP switch 122 holds the network ID of the connector, which is unique on the network”), and

Art Unit: 2121

wherein the configuration device can be connected to a logic device for processing of data for configuration of an intelligent unit in such a way that data can be transmitted at least from the configuration device to the logic device (e.g., [0035]: “The communication CPU 132 reads the setting value (network ID) of the DIP switch 122 into an internal register”, [0054], [0082]: “The infrared communication unit 138 receives data transmitted from the connector 120X and transfers the data to the control CPU 136. The control CPU 136 executes control of the motor driver 150 in accordance with the received data.”).

11. The apparatus as claimed in claim 8, comprising:

an intelligent unit (e.g., Fig. 3 #130, Fig. 8 #130X) with an associated logic device (e.g., Fig. 3 #132, Fig. 8 #136) for processing of data for configuration of the intelligent unit,

wherein the intelligent unit can be connected to the configuration device (e.g., Fig. 3 #120, Fig. 8 #120X) in such a way that data can be transmitted at least from the configuration device to the logic device for adaptation of the intelligent unit to the application and/or the location (e.g., [0035]: “The communication CPU 132 reads the setting value (network ID) of the DIP switch 122 into an internal register”, [0054], [0082]: “The infrared communication unit 138 receives data transmitted from the connector 120X and transfers the data to the control CPU 136. The control CPU 136 executes control of the motor driver 150 in accordance with the received data.”).

12. The apparatus as claimed in claims 8, further comprising: the intelligent unit being within a network (e.g., Fig. 1).

13. The apparatus as claimed in claim 8, further comprising: the intelligent unit having a system component (e.g., Fig. 1 #140, 150F-H, 160F-H).

Art Unit: 2121

14. The apparatus as claimed in claim 8, wherein the data comprises an address, a component identification, configuration data and/or data for configuration (e.g., [0034]: “The DIP switch 122 holds the network ID of the connector, which is unique on the network”).

15. The apparatus as claimed in claim 8, further comprising:
the logic device which is associated with the intelligent unit being designed for data transmission to the configuration device (e.g. Fig. 8).

16. The apparatus as claimed in claim 8, further comprising:
the configuration device being designed to receive and store data from the logic device which is associated with the intelligent unit (e.g., [0078]: “the connector 120X has the function of communicating with the host controller 110 and takes out information of the field device 130X to exchange communication with the host controller 110”).

19. The apparatus as claimed in claim 8, further comprising:
the configuration device being associated with a connecting device (e.g., Fig. 3: “L”, Fig. 8 #138), for connection of the intelligent unit.

20. The apparatus as claimed in claim 8, further comprising:
the configuration device being designed for storage, reading and/or processing of further data (e.g., Fig. 1 #110).

21. The apparatus as claimed in claim 8, further comprising:
the data of the configuration device being variable, readable and/or processable by remote control and/or externally (e.g., Fig. 1 #110A).

22. The apparatus as claimed in claim 8, further comprising:

Art Unit: 2121

the configuration device and the intelligent unit having complementary means for provision of a unidirectional and/or bidirectional data transmission connection, in particular using screw-in and/or plug-in connectors, a contact-based, optical and/or a radio connection (e.g., Fig. 8).

23. The apparatus as claimed in claim 8, further comprising: the configuration device being designed as equipment for an automation system (e.g., Fig. 1).

24. The apparatus as claimed claim 8, further comprising:
the configuration device and/or the logic device having hardware and/or software elements (e.g., Figs. 1, 3, 8).

25. The apparatus as claimed in claim 8, further comprising:
the logic device which is associated with the configuration device being part of the configuration device or part of a further device which can be connected to the configuration device, in particular a central control device (e.g., Fig. 1 #110A).

26. Use of an apparatus as claimed in claim 8 for carrying out a method as claimed in claim 1 (e.g. Figs. 5-6).

27. A system having at least one apparatus as claimed in claim 8 (e.g., Fig. 1).

28. The system as claimed in claim 27, wherein the system is adapted for operation of an automation system (e.g., Fig. 1).

29. The apparatus of claim 8, wherein the configuration device is part of a permanent wiring to which the intelligent unit can be coupled (e.g., Figs. 1, 3,8: "L").

30. The method of claim 1, wherein said installation location coincides with an application location (e.g., Fig. 1).

Art Unit: 2121

31. The method of claim 1, wherein said data comprises an address, a component identification, configuration data and/or data for configuration (e.g., [0034]: “The DIP switch 122 holds the network ID of the connector, which is unique on the network”).

Response to Arguments

Applicant's arguments filed 07/07/09 have been fully considered but they are not persuasive. In response to Applicant's argument that Hagino does not teach that the data comprises behavior or function description data for the intelligent unit, it is noted that Hagino teaches that the communication CPU 124 residing in the configuration device receives a command destined for its node address, where the “command” reads on the claimed “behavior or function description data for the intelligent unit”.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN A. JARRETT whose telephone number is (571)272-3742. The examiner can normally be reached on 10:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2121

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan A. Jarrett/
Primary Examiner, Art Unit 2121

10/22/09